

Madame Chair and members of the Judiciary Committee - Senator Sheffel.
Thank you for hearing me.

My name is Julie Connaghan. I am President of the Board of Directors of the Dakota Ridge Village Condominium Association (DRVCA) Block One, at the North edge of the city of Boulder and less than half a mile to the nearest bus stop. Ten years ago I was a first time buyer of a brand new home at DRV.

There are 17 separate buildings housing 98 units - and nearly half, 42, are Affordable Housing units. Our development is within ½ mile of a bus stop and would have been covered by SB 52.

As a volunteer Board member I work at least 20 hours a week. I am in private practice, a licensed counselor, and have worked recently as a hospital chaplain, medical ethics consultant & palliative care consultant.

The TOD Claims Act would render builders legal immune from responsibility for damages caused by environmental conditions. What you see in the photos is damage from construction defects in our buildings and showed up five to six years after they were built defectively.

The photos of black mold on sub-flooring are in my home's furnace room. The line that carries water to the drain had no elbow into drain therefore water seeped back on the line, beneath the linoleum, and festered for years as Black Mold.

All other units had the same defect - many led to slow water leaks overflowing to units beneath them, and rot and mold forming behind walls, above ceilings, and beneath flooring.

More serious and worse conditions from construction defects exist in all 17 buildings: 1. Water barriers are missing - they protect the buildings from water invasion and damage. 2. Some second floor decks were found rotting in their structure - a Life Safety hazard. 3. Insulation is absent in places. 4. Windows, water barriers, and ledges are affixed improperly - they bring water invasion into buildings & homes. 5. Crawl spaces lack air flow and sump pumps - a Health Safety hazard. 6. Wind shear capacity - a building's ability to stand square over time rather than shifting to trapezoidal - is faulty.

All defects and resulting environmental damages are results of building below code.

DRV block 1 was involved in litigation beginning 2008 for these and more construction defects. It will take another year from now to fully reconstruct all 17 buildings. There's not a thing about it that's fun or lucrative.

The inadequate repairs the builder offered would have left homeowners with

devalued mortgages and homes.

- - Of course, the Association was never approached or stalked by lawyers - a home owner discovered a problem, more was uncovered by the Association's due diligence, the builder was approached and asked to fix the problems, and only after the builder failed to properly fix our problems, we filed suit.
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 - The builder involved in DRV block one's defect lawsuit continues successfully, including building condos and houses.
 - There is Affordable and Low Income housing going up consistently in Boulder.
 - SB52, The TOD Claims Act supports builders to build it wrong.
- Low income housing, regular income housing, the housing market recovery, would all be served by letting SB52 die.
How about something that helps builders build it right the first time?

Thank you,

Julie Connaghan